

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ADRIAN HARRISON,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. 2:13-CV-251
	§	
RODRIGUEZ, <i>et al</i> ,	§	
	§	
Defendants.	§	

**NOTICE OF *IN FORMA PAUPERIS* DEFICIENCY
AND ORDER TO COMPLY**

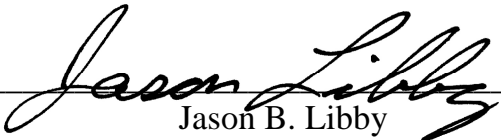
Pending is Plaintiff's application to proceed *in forma pauperis*. (D.E. 6). A prisoner who is seeking to proceed *in forma pauperis* must file "a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint...." 28 U.S.C. § 1915(a)(2). A district court may dismiss an action for failure to prosecute or to comply with any order of the court. *McCullough v. Lynaugh*, 835 F.2d 1126 (5th Cir.1988); Fed. R. Civ. P. 41(b).

Plaintiff filed this prisoner Civil Rights complaint pursuant to 42 U.S.C. § 1983 on July 24, 2013. On August 13, 2013, the U.S. District Clerk notified Plaintiff his pleading was deficient for failure to pay the filing fee or requesting to proceed *in forma pauperis*. (D.E. 4). The notice instructed Plaintiff to either pay the filing fee or file a certified copy of his inmate trust fund statement with his application and failure to comply may result in

his case being dismissed. Plaintiff subsequently filed a Motion to Proceed *In Forma Pauperis* but failed to submit his inmate trust fund statement. (D.E. 6).

Plaintiff is **ORDERED** to submit to the Court a certified copy of his inmate trust fund account statement (or institutional equivalent) for the 6-month period immediately preceding the filing of the complaint on or before **November 4, 2013**. If Plaintiff fails to comply with this order, this matter will be referred to the District Court with a recommendation to dismiss Plaintiff's cause of action.

ORDERED this 7th day of October, 2013.


Jason B. Libby
United States Magistrate Judge